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	•		2141			

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application	n No.	Applicant(s)				
Office Action Summary		10/038,770)	WIDEGREN ET AL.				
		Examiner		Art Unit				
		Chirag R. P		2141				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply								
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).								
Status								
1)[X]	Responsive to communication(s) filed on 23 Ja	lanuary 2006						
′=	This action is FINAL . 2b) This action is non-final.							
′=	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is							
٥,۵	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposition of Claims								
· -	•							
•	 ✓ Claim(s) <u>1-59</u> is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 							
	5) Claim(s) is/are allowed.							
· —	☐ Claim(s) is/are allowed. ☐ Claim(s) <u>1-59</u> is/are rejected.							
	Claim(s) is/are objected to.							
• —	Claim(s) are subject to restriction and/o	or election re	quirement					
∪,∪	and publication and analysis	o. 0,000.01110	44					
Applicati	on Papers							
9)	The specification is objected to by the Examine	er.						
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.								
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).								
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).								
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.								
Priority u	ınder 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:								
	1. Certified copies of the priority documents have been received.							
	2. Certified copies of the priority documents have been received in Application No							
	3. Copies of the certified copies of the priority documents have been received in this National Stage							
application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.								
See the attached detailed Office action for a list of the certified copies not received.								
Attachmen	t(s)							
1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)								
2) Notic	e of Draftsperson's Patent Drawing Review (PTO-948)		Paper No(s)/Mail Da	ate	0.450\			
	mation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) r No(s)/Mail Date	7	5)	ratent Application (PT0	U-152)			

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Response to Arguments

Applicant's arguments with respect to claims 1-59 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-8, 10, 28-32, 34-37, 40, 42-48, 50-51, 57, and 59 are rejected under 35 U.S.C. 102(e) as being anticipated by Kalmanek, Jr. (US 6,483,912)

As per claims 1, 28, and 42, Kalmanek, Jr. discloses a method for assuring a quality of service for a multimedia session including plural media data streams between a first user terminal associated with a first local access network and a second user terminal associated with a second local access network, where the first and second local networks are coupled to an IP network, (Col 4 lines 30-54; Figure 1) comprising:

the first user terminal determining whether there are sufficient resources in the first local access network to support a quality of service requested for each of the media

terminal associated with a second local access network, where the first and second local networks are coupled to an IP network, (Col 4 lines 30-54) comprising:

the first user terminal determining whether there are sufficient resources in the first local access network to support a quality of service requested for each of the media data streams; (Col 48 lines 40-52; Fig 6; determines there is sufficient network capacity for call)

the first user terminal sending a first message to the second user terminal confirming that determination; (Figure 6)

the second user terminal determining whether there are sufficient resources in the second local access network to support a quality of service requested for each of the media data streams before the multimedia session is set up; and (Col 49 line 64 – Col 50 line 23; reservation is obtained *prior*; which reads on the claim limitation *before* the multimedia session is set up; to ringing the destination terminal)

the second user terminal sending a second message to the first user terminal confirming that determination, (Fig 6)

wherein the sending of the first and second messages assures the requested quality of service for each media data stream in the session will be provided. (Col 13 lines 59 – Col 14 line 5)

As per claim 2, Kalmanek, Jr. discloses the method in claim 1, wherein the IP network supports the requested quality of service for each media data stream in the session, and wherein the first user terminal determines whether the media data streams

As per claims 3, 32 and 48, Kalmanek, Jr. discloses the method in claim 2, wherein a differentiated services provisioning mechanism is used to deliver the requested quality of service for each media data stream in the session across the IP network. (Col 13 line 59 – Col 14 line 5)

As per claims 5, 34 and 50, Kalmanek, Jr. discloses the method in claim 1, wherein if the requested quality of service for each media data stream in the session can not be provisioned in one of the first and second local access networks, the session is not set up. (Col 49 lines 38-49)

As per claims 6, 35, and 51, Kalmanek, Jr. discloses the method in claim 1, wherein if the requested quality of service for each media data stream in the session can not be provisioned in one of the first and second local access networks, a setup of the session is attempted with a changed quality of service condition for one or more of the media data streams in the session. (Col 28 lines 48-56; Col 49 lines 59-64)

As per claim 7, Kalmanek, Jr. discloses the method in claim 1, wherein the first user terminal determines whether there are sufficient resources in the first local access network to support a quality of service requested for each of the media data streams in a first direction from the first terminal to the second terminal and in a second direction from the second terminal to the first terminal, and

wherein the second user determines whether there are sufficient resources in the second local access network to support a quality of service requested for each of the media data streams in a first direction from the first terminal to the second terminal and in a second direction from the second terminal to the first terminal. (Col 9 lines 11-26, Col 28 lines 40-46)

As per claim 8, Kalmanek, Jr. discloses the method in claim 1, further comprising: the second user terminal informing the first user terminal that the second user terminal lacks capabilities to send the second message for one or more of the media streams, and (Col 28 lines 49-56)

the first user terminal informing the second user terminal that the first user terminal will proceed with setting up the multimedia session without the second terminal sending the second message. (Col 50 lines 49-55)

As per claims 10 and 40, Kalmanek, Jr. discloses the method in claim 1, wherein the first and second local access networks are mobile radio access networks and the first and second user terminals are mobile terminals, and (Col 1 lines 31-46, Col 9 lines 48-54)

wherein the first and second mobile terminals determine whether there are sufficient resources in the first and second mobile radio access networks, respectively, to support a quality of service requested for each of the media data streams using a

mobile radio access network quality of service reservation procedure at a radio access bearer level for each of the media data streams. (Col 9 lines 11-26, Col 28 lines 40-46)

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As per claim 29, Kalmanek, Jr. discloses the first mobile radio terminal in claim 28, wherein the electronic circuitry is configured to detect a confirmation message from the second user terminal before the multimedia session is set up indicating that there are sufficient resources in the second local access network. (Col 13 lines 41-50)

As per claim 30, Kalmanek, Jr. discloses the first mobile radio terminal in claim 29, wherein the confirmation message detected from the second user terminal indicates that the media data streams are allowed to use the IP network via the second local mobile access network to support a quality of service requested for each of the media data streams. (Col 4 lines 47-64, Col 19 lines 10-37,Col 49 line 64 – Col 50 line 10; Figure 6)

As per claim 31, Kalmanek, Jr. discloses the first mobile radio terminal in claim 28, wherein the confirmation message from the first user terminal indicates that the media data streams are allowed to use the IP network via the first local mobile access network to support a quality of service requested for each of the media data streams. (Col 4 lines 47-64, Col 19 lines 10-37,Col 49 line 64 – Col 50 line 10; Figure 6)

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As per claim 36, Kalmanek, Jr. discloses the first mobile radio terminal in claim 28, wherein the electronic circuitry is configured to assure there are sufficient resources in the first local access network to support a quality of service requested for each of the media data streams in a first direction from the first terminal to the second terminal and in a second direction from the second terminal to the first terminal. (Col 9 lines 10-26; The quality of service can be specified by a calling party, a called party or the service provider of the communications network, or any combination thereof; Col 48 lines 40-52; Fig 6; determines there is sufficient network capacity for call)

As per claim 37, Kalmanek, Jr. discloses the first mobile radio terminal in claim 28, wherein the electronic circuitry is configured to detect a message from the second mobile terminal indicating that there are insufficient resources in the second local access network to support a quality of service requested for each of the media data streams. (Col 23 lines 18-25)

As per claim 43, please see discussion under claim 11 as it relates to similar subject matter.

As per claim 44, please see discussion under claim 13 as it relates to similar subject matter.

As per claim 45, please see discussion under claim 14 as it relates to similar subject matter.

As per claim 46, Kalmanek, Jr. discloses the communications system in claim 42, wherein the second mobile terminal is configured to inform the first mobile terminal whether there are sufficient resources in the second local access network to support a quality of service requested for each of the media data streams, and wherein if there are insufficient resources, the first mobile terminal is configured to inform the second mobile terminal that set up of the multimedia session will proceed without the second mobile terminal sending the second QoS confirmation message. (Col 28 lines 40-46, Col 49 line 64 – Col 50 line 23; Figure 6)

As per claim 47, please see discussion under claim 17 as it relates to similar subject matter.

As per claims 57 and 59, Kalmanek, Jr. discloses the communications system in claim 42, wherein the first mobile terminal is configured to send the first QOS confirmation message before the multimedia is set up, and the second mobile terminal is configured to send the second QOS confirmation message before the multimedia session is set up. (Col 9 lines 10-26, Col 49 line 64 – Col 50 line 23; reservation is obtained *prior*; which reads on the claim limitation *before the multimedia session is set up*; to ringing the destination terminal)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the bas is for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 4, 33 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalmanek, Jr. (US 6,483,912) in view of Dharanikota (US 6,914,883)

As per claims 4, 33, and 49, Kalmanek, Jr. discloses the method of claim 1. Kalmanek, Jr. fails to disclose wherein if the requested quality of service for each media data stream in the session can not be provisioned in one of the first and second local access networks, the session is not set up. Dharantikota discloses wherein requested quality of service for each media data stream in the session is assured without using a resource-reservation protocol (RSVP). (Col 4 lines 45-60) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art disclose session without using a resource-reservation protocol (RSVP) in the disclosure of Kalmanek, Jr. The motivation for doing do would have been to minimize the amount of signaling required on the IP QOS architecture. (Col 2 lines 1-13)

Claims 9 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalmanek, Jr. (US 6,483,912) in view of Stacey (US 6,765,921)

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As per claims 9, and 56, Kalmanek, Jr. discloses the method in claim 1.

Kalmanek, Jr. fails to disclose session initiation protocol (SIP) signaling. Stacey discloses first and second message are communicated using session initiation protocol (SIP) signaling. (Col 5 line 39- Col 6 line 57) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose session initiation protocol (SIP) signaling in the disclosure of Kalmanek, Jr. The motivation for doing do would have been to be able to tunnel content control information. (Col 5 line 39 – Col 6 line 57)

Claims 11-18, 20-22, 41, and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalmanek, Jr. (US 6,483,912) in view of Chaskar (2002/0122432).

As per claims 11 and 41, Kalmanek discloses wherein the first and second mobile terminals determine whether there are sufficient resources to support a quality of service requested for each of the media data streams. (Col 9 lines 11-26, Col 28 lines 40-46) Kalmanek fails to disclose GPRS / UMTS network and PDP context. Chaskar discloses GPRS / UTMS network and PDP context. ([0025]) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose GPRS / UMTS and PDP context in the disclosure of Kalmanek, JR. The motivation for

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doing do would have been to establish contexts for different communication bearers. ([0025])

As per claim 12, Kalmanek Jr. discloses a method for end-to-end resource coordination for a multimedia session including plural media data streams between a first mobile terminal associated with a first local access network and a second mobile terminal associated with a second local access network, where the first and second local networks are coupled to an IP network, comprising:

the first mobile terminal determine if sufficient resources can be provisioned in the first local access network to support a quality of service (QoS) requested for each of the media data streams in the session, and if so, sending a first QoS confirmation message to the second mobile terminal, and (Col 9 lines 11-26, Col 28 lines 40-46)

the second mobile terminal using a PDP determines if sufficient resources can be provisioned in the second local access network to support a quality of service (QoS) requested for each of the media data streams in the session, and if so, sending a second QoS confirmation message to the first mobile terminal. (Col 49 line 64 – Col 50 line 23)

Kalmanek Jr. fails to discloses using a PDP context activation procedure. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose PDP context in the disclosure of Kalmanek, JR. Chaskar discloses using a PDP context activation procedure. ([0025])The motivation for doing do would have been to establish contexts for different communication bearers. ([0025])

As per claims 13, Kalmanek Jr. / Chaskar discloses the method in claim 12. Kalmanek, Jr. discloses wherein the first and second QoS confirmation messages confirm end-to-end provision of the requested quality of service for each media data stream in the session. (Col 5 lines 54-67, Col 9 lines 27-37)

As per claims 14, Kalmanek Jr. / Chaskar discloses the method in claim 12, and Chaskar discloses wherein the first and second mobile terminals provision sufficient resources to support a quality of service requested for each direction of each of the media streams. (Col 9 lines 10-37)

As per claim 15, Kalmanek Jr. / Chaskar disclose the method in claim 12, and Kalmanek, Jr. disclose further comprising: the second user terminal informing the first user terminal that the second user terminal lacks capabilities to send the second message for one or more of the media streams, and (Col 28 lines 49-56)

the first user terminal informing the second user terminal that the first user terminal will proceed with setting up the multimedia session without the second terminal sending the second message. (Col 50 lines 49-55)

As per claim 16, Kalmanek Jr. /Chaskar disclose the method in claim 12.

Kalmanek Jr. fails to disclose wherein the first and second local access networks are

GPRS or UMTS networks. Chaskar discloses wherein the first and second local access

networks are GPRS or UMTS networks. ([0025]) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose GPRS / UMTS in the disclosure of Kalmanek, JR. The motivation for doing do would have been to make efficient use of GSM radio resources for bursty packet data transfer. ([0002])

As per claim 17, Kalmanek Jr. / Chaskar disclose the method in claim 12, and Kalmanek, Jr. discloses wherein the IP network supports the requested quality of service for each media data stream in the session. (Col 4 lines 48-54, Col 28 lines 41-47)

As per claim 18, Kalmanek Jr. / Chaskar discloses the method in claim 17, and Kalmanek, Jr. disclose wherein a differentiated services provisioning mechanism is used to deliver the requested quality of service for each media data stream in the session across the IP network. (Col 5 lines 7-26, Col 9 lines 10-37)

As per claim 20, Kalmanek Jr. / Chaskar disclose the method in claim 12, and Kalmanek, Jr. discloses wherein if the requested quality of service for each media data stream in the session can not be provisioned in one of the first and second local access networks, the session is not set up. (Col 49 lines 38-49)

As per claim 21, Kalmanek Jr. / Chaskar disclose the method in claim 12, and Kalmanek, Jr. discloses wherein if the requested quality of service for each media data

stream in the session can not be provisioned in one of the first and second local access networks, setup of the session is attempted with a changed condition. (Col 28 lines 48-56; Col 49 lines 59-64)

As per claim 22, Kalmanek Jr. / Chaskar disclose the method in claim 21, and Kalmanek, Jr. discloses wherein the changed condition may be applied to one or more media streams in the second local access network. (Col 9 lines 10-26, Col 49 lines 59-64, Figure 6)

As per claim 58, please see discussion under claim 57 as it relates to the similar subject matter.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kalmanek, Jr. (US 6,483,912) / Chaskar (2002/0122432) in view of Dharanikota (US 6,914,883)

As per claim 19, Kalmanek Jr. / Chaskar disclose the method in claim 12, and Kalmanek, Jr. fails to disclose media data in the session is assured without using a resource-reservation protocol (RSVP). Dharantikota discloses wherein requested quality of service for each media data stream in the session is assured without using a resource-reservation protocol (RSVP). (Col 4 lines 45-60) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art disclose

session without using a resource-reservation protocol (RSVP) in the disclosure of Kalmanek, Jr. The motivation for doing do would have been to minimize the amount of signaling required on the IP QOS architecture. (Col 2 lines 1-13)

Claims 23 and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kalmanek, Jr. (US 6,483,912) / Chaskar (US 2002/0122432) in view of Purnadi et al. – hereinafter Purnadi (US 6,556,824).

As per claims 23, Kalmanek, Jr. / Chaskar disclose the method in claim 21, and Kalmanek, Jr. fails to disclose wherein the changed condition is a reduced quality of service. Purnadi discloses wherein the changed condition is a reduced quality of service for one or more of the media data streams. (Col 9 line 46 – Col 10 line 24)

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose wherein the changed condition is a reduced quality of service in the disclosure of Kalmanek, Jr. The motivation for doing do would have been to allow for continued communication pursuant to at least a first communication service at the desired QoS level is unavailable.

As per claims 25-27, Kalmanek Jr. / Chaskar disclose the method in claim 12. Kalmanek, Jr. fails to disclose first and second mobile terminal complete the multimedia session setup and not determine if sufficient resources can be provisioned without using QoS confirmation messages if requested quality of service cannot be provisioned.

Purnadi discloses wherein if the requested quality of service for each media data stream in the session can not be provisioned in one of the first and second local access networks, the first mobile terminal informs the second mobile terminal that the second mobile terminal need not determine if sufficient resources can be provisioned in the second local access network, and the first and second mobile terminal complete the multimedia session setup without using QoS confirmation messages for the one or more media streams. (Col 9 line 46 – Col 10 line 24; The reduction is to at least a first selected degraded QoS level when continued communication pursuant to at least a first communication service at the desired QoS level is unavailable; Alternately, a default QoS level indicated in the SDP profile can instead be stored; system can use default QOS – which is not the QOS that the terminals have requested)

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose first and second mobile terminal complete the multimedia session setup and not determine if sufficient resources can be provisioned without using QoS confirmation messages if requested quality of service cannot be provisioned in the disclosure of Kalmanek, Jr. The motivation for doing do would have been to prevent abrupt termination of a communication session. (Col 10 lines 15-22)

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kalmanek, Jr. (US 6,483,912) / Chaskar (2002/0122432) in view of Stacey et al. – hereinafter Stacey (US 6,765,921)

As per claim 24, Kalmanek Jr. / Chaskar disclose the method in claim 21, and Kalmanek, Jr. fails to disclose session initiation protocol (SIP) signaling. Stacey discloses first and second message are communicated using session initiation protocol (SIP) signaling. (Col 5 line 39- Col 6 line 57) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose session initiation protocol (SIP) signaling in the disclosure of Kalmanek, Jr. The motivation for doing do would have been to be able to tunnel content control information. (Col 5 line 39 – Col 6 line 57)

Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kalmanek, Jr. (US 6,483,912) in view of Purnadi (US 6,556,824)

As per claim 38, please see discussion under claim 25 as it relates to similar subject matter.

Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kalmanek, Jr. (US 6,483,912) in view of Stacey et al. – hereinafter Stacey (US 6,765,921)

As per claim 39, please see discussion under claim 25 as it relates to similar subject matter.

Claims 52-55 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kalmanek, Jr. (US 6,483,912) in view of Purnadi et al. – hereinafter Purnadi (US 6,556,824).

As per claim 52, please see discussion under claim 23 as it relates to similar subject matter.

As per claim 53-55, please see discussion under claims 25-27 as it relates to similar subject matter.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag R. Patel whose telephone number is (571)272-7966. The examiner can normally be reached on Monday to Friday from 7:30AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pairdirect.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

STATION OF THE PROPERTY OF THE